IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 509 OF 2007

Jaywantrao Govindrao Patil and another ...Petitioners

Versus

State Election Commission and others ... Respondents

Mr. Dilip Bodake for the petitioners.
Mr. S.B. Shetye for respondent No.1
Mr. P.M. Patil, Assistant Government Pleader, for the respondent Nos. 2 and 3.

CORAM: **H.L. GOKHALE, Ag. C.J.,** & **V.M. KANADE, J.**

DATE: **JANUARY 22, 2007**.

P.C.

Heard Mr. Bodake in support of this petition. Mr. Shetye appears for respondent No.1 and Mr. Pradeep Patil, Assistant Government Pleader, appears for respondent Nos. 2 and 3.

2. Petition seeks a direction that the Electoral College of some villages in Taluka Satara be reconstituted so that the populations are equal. One petition was filed earlier for this purpose being Writ Petition No. 6068 of 2006. A Division Bench directed that the matter be

examined once again. It is, however, material to note that the Election Commission was not represented at that time. This amounts to have a fresh look at the delimitation of the constituencies and the validity thereof cannot be challenged under Article 243-O (a) of the Constitution. That apart, after the above order was passed, the authorities concerned have passed a speaking order on 24th November, 2006 and have pointed out that out of two divisions, one is having a population of 18179 whereas the other is having 17960. There cannot be any arithmetic equity in matters like this. On merits also there is no substance. Petition is dismissed.

ACTING CHIEF JUSTICE

V.M. KANADE, J.